

Oct 31, 2005 12:55PM

No. 1473 P. 1

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PTO/SB/21 (09-04)

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/512,130
Filing Date	10/13/2004
First Named Inventor	Manuela Niemeler, et al.
Art Unit	1713
Examiner Name	
Attorney Docket Number	PAT-01027

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of the English Translation of the International Preliminary Examination Report; Transmittal Cover Letter.
<input type="checkbox"/> Remarks The Commissioner is hereby authorized to charge any fees, which may be required or credit any overpayment to Deposit Account Number 23-3425.  I have enclosed a duplicate copy of this sheet.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BASF CORPORATION		
Signature			
Printed name	Anne Gerry Sabourin		
Date	10/28/05	Reg. No.	33,772

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	Marjorie Ellis
Date	10/28/05 10/31/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Oct. 31. 2005 12:55PM

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No. 1473 P. 2

OCT 31 2005

PATENT

(Practitioner's Docket No. PAT-01027)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Manuela NIEMEIER

Serial No.: 10/537,070

Filed: 05/31/2005

For: Coatings, Methods for Producing the  
Same, and the Use Thereof

Group Art Unit: 1755

Examiner:

I hereby certify that the following papers are being  
facsimile transmitted to the Patent and Trademark Office  
fax No.: (703) 571 273-8300 on the date below.  
October 26, 2005

Date

  
Marjorie Ellis

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith for the above-identified patent application is the English Translation  
of the International Preliminary Examination Report.

Applicant believes that no fee is required. However, if applicant has inadvertently  
overlooked the need for a fee The Director – U.S. Patent and Trademark Office is hereby  
authorized to charge any additional fees or credit any overpayment to Deposit Account No. 23-  
3425.

This form is submitted in duplicate.

Respectfully submitted,

  
Anne Gerry Sabourin  
Registration No. 33,772

Date October 28, 2005

BASF Corporation  
26701 Telegraph Road  
Southfield, MI 48034-2442  
(248)-948-2021  
Customer No. 26922

PTO/SB/21 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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(to be used for all correspondence after initial filing)

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Application Number	10/512,130
Filing Date	10/19/2004
First Named Inventor	Manuela Niemeier, et al.
Art Unit	1713
Examiner Name	

**RECEIVED****CENTRAL FAX CENTER****OCT 31 2005**

Attorney Docket Number

PAT-01027

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmitted Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		
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(Practitioner's Docket No. PAT-01027)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

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Group Art Unit: 1755

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Marjorie Ellis**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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Respectfully submitted,

  
Anne Gerry Sabourin  
Registration No. 33,772Date October 28, 2005BASF Corporation  
26701 Telegraph Road  
Southfield, MI 48034-2442  
(248)-948-2021  
Customer No. 26922

Translation

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>PCT01027PAT</b>	<b>FOR FURTHER ACTION</b>	See Notifications of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. <b>PCT/EP03/04767</b>	International filing date (day/month/year) <b>07 May 2003 (07.05.03)</b>	Priority date (day/month/year) <b>11 May 2002 (11.05.02)</b>
International Patent Classification (IPC) or national classification and IPC <b>C09D 7/00</b>		
Applicant <b>BASF COATINGS AG</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 2 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been appended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand <b>03 November 2003 (03.11.03)</b>	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Faximile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (July 1998)

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Oct 31, 2005 12:56PM EPO/SEARCH & EXAMINER 2001248482093

No. 1473 P. 628 D2005

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/EP03/04767

### I. Basis of the report

The basis of International preliminary examination report is the application as originally filed.

### V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability

In light of the documents cited in the International search report, it is considered that the invention as defined in the claims meets the criteria mentioned in Article 33(1) PCT, i.e. it appears to be novel and to involve an inventive step.

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Oct. 31. 2005 12:56PM URGENT-PATENT &amp; MUNICH # 00012489482093

No. 1473 P. 728 0003

**VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT  
AUF DEM GEBIET DES PATENTWESENS****PCT****INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT**

(Artikel 36 und Regel 70 PCT)

(Rationalisierter Bericht gemäß Beschluß des Präsidenten des EPA veröffentlicht im ARI 11/2001)

Aktenzeichen des Anmelders oder Aufwands: <b>PCT01027PAT</b>	WEITERES VORGEHEN	siehe Mitteilung über die Übersendung des internationalen vorläufigen Prüfungsberichts (Formblatt PCT/IPEA/416)
Internationales Aktenzeichen: <b>PCT/EP 03/ 04767</b>	Internationales Anmeldedatum (Tag/Monat/Jahr) <b>07/05/2003</b>	Prioritätsdatum (Tag/Monat/Jahr) <b>11/05/2002</b>
Internationale Patentklassifikation (IPC) oder nationale Klassifikation und IPK <b>C09D7/00</b>		
Anmelder <b>BASF COATINGS AG et. al.</b>		

1. Der internationale vorläufige Prüfungsbericht wurde von der mit der internationalen vorläufigen Prüfung beauftragten Behörde erstellt und wird dem Anmelder gemäß Artikel 36 überreicht.
2. Dieser **BERICHT** umfaßt insgesamt 2 Blätter einschließlich dieser Deckblatt.
- Außerdem liegen dem Bericht **ANLAGEN** bei; dabei handelt es sich um Blätter mit Beschreibungen, Ansprüchen und/oder Zeichnungen, die geändert wurden und diesem Bericht zugrunde liegen, und/oder Blätter mit von dieser Behörde vorgenommenen Berichtigungen (siehe Regel 70.16 und Abschnitt 607 der Verwaltungsvorschriften zum PCT).
- Diese Anlagen umfassen insgesamt \_\_\_\_\_ Blätter.
3. Dieser Bericht enthält Angaben und die entsprechenden Seiten zu folgenden Punkten:
- I  Grundlage des Berichts
  - II  Priorität
  - III  Keine Erteilung eines Gutachtens über Neuheit, erforderliche Tauglichkeit und gewerbliche Anwendbarkeit
  - IV  Mangelnde Einheitlichkeit der Erfindung
  - V  Begründete Feststellung nach Artikel 39(2) hinsichtlich der Neuheit, der erforderlichen Tauglichkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung
  - VI  Bestimmte angeführte Unterlagen
  - VII  Bestimmte Mängel der internationalen Anmeldung
  - VIII  Bestimmte Bemerkungen zur internationalen Anmeldung

Datum der Einreichung des Antrags <b>03/11/2003</b>	Datum der Fertigstellung dieses Berichts <b>12/11/2003</b>
Name und Postanschrift der mit der internationalen vorläufigen Prüfung beauftragten Behörde   Europäisches Patentamt D-80298 München Tel. (+49-89) 2399-0, Fax 523655 eprmu d Fax (+49-89) 2399-4465	Bevollmächtigter Beauftragter <b>DEFFNER C A E</b>  Tel. (+49-89) 2399 2828



Formblatt PCT/IPEA/416 (Deckblatt) P20478 (Oct 2002)

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-Oct 31. 2005 12:57PM Pres. Fitzner & Munich → 00012489482093

No. 1473 P. 8 28 D004

## INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

Internationales Aktenzeichen PCT/EP 03/ 04767

### I. Grundlage des Berichts

Grundlage dieses Berichtes sind die Anmeldeunterlagen in der ursprünglich eingereichten Fassung.

### V. Begründete Feststellung nach Regel 66.2(a)(ii) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit

In Anbetracht der im internationalen Recherchenbericht angeführten Unterlagen wird festgestellt, daß die Erfindung, wie sie in den Ansprüchen gekennzeichnet ist, die in Artikel 33(1) PCT aufgeführten Kriterien erfüllt, d.h. als neu, als auf erfinderischer Tätigkeit beruhend und als gewerblich anwendbar anzusehen ist.